IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO.324 OF 2005
IN
CRIMINAL APPEAL NO.1449 OF 2004
IN
SESSIONS CASE NO.608 OF 1995

Smt.Sabira @ Baby Deepak Sindhi .. Applicant.

Vs.

The State of Maharashtra .. Respondent.

Mr.R.V.Gupta for applicant.

Ms.Usha Kejariwal, Additional Public Prosecutor for State.

CORAM : R.M. LODHA AND
R.S. MOHITE, JJ.

DATED : 2nd February, 2005

P.C.

Heard Mr.R.V.Gupta, the learned counsel for the appellant and Ms.Usha Kejariwal, the learned APP.

2. The accused-appellant has been convicted of the offence punishable under section 302 of IPC.

3. The conviction is based on dying declarations. These dying declarations would need deeper scrutiny at the time of hearing of the appeal.

4. It is not in dispute that the accused-appellant was on bail during trial. She is woman having six children.

5. Taking all these facts into consideration, we are of the view that during the pendency of criminal appeal, the accused-appellant may be enlarged on bail.

6. Hence the following order:-

> The accused-appellant shall be released on bail on her furnishing personal bond of Rs.10,000/- and two sureties of the like amount to the satisfaction of the trial court for her appearance before this court as and when required.

7. Criminal application stands disposed of.

(R.M. LODHA, J.)

(R.S. MOHITE, J.)